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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,805	11/16/2001	Charles Patton	SRI-013	3867

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Moser, Patterson, Sheridan, LLP
595 Shrewsbury Avenue
Suite 1100
Shrewsbury, NJ 07702

EXAMINER

MEUCCI, MICHAEL D

ART UNIT PAPER NUMBER

2142

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,805

Applicant(s)

PATTON ET AL.

Examiner

Michael D Meucci

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

2. Claim 4 objected to because of the following informalities: The instance of "communication" preceding "using" in line 2 of the claim should be replaced with --communicates--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3 and 12 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is believed by the examiner that the applicants meant to specify --infrared light/wavelengths/signals-- on line 2 of each claim where the applicants simply disclosed "infrared." Because "infrared" is typically used as an adjective, it is unclear to the examiner what was meant to be disclosed. Clarification of the matter is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 4-10, and 13-21 rejected under 35 U.S.C. 102(b) as being anticipated by Mahany (U.S. 5,960,344).

a. As per claims 1 and 10, Mahany teaches: a first and a second transceiver for conducting wireless communications over a medium with another computing device (abstract and lines 10-29 of column 2); each transceiver being spatially separated from the other transceiver for independent communication over the medium (lines 49-54 of column 4 and Fig. 1); each transceiver being associated with a different particular transaction that occurs when another computing device interacts with the computing device over the medium through that transceiver (abstract and lines 10-29 of column 2).

b. As per claims 4 and 13, Mahany teaches: each transceiver communicates using RF (radio frequency) communication (lines 51-59 of column 4).

c. As per claims 5 and 14, Mahany teaches: the first transceiver is integral to the computing device (lines 49-64 of column 4 and Fig. 1).

d. As per claims 6 and 15, Mahany teaches: the first transceiver is attached to the computing device by a wire (lines 35-52 of column 8).

e. As per claims 7 and 16, Mahany teaches: different configuration handler application associated with each transceiver for handling messages of a particular type that arrive through that transceiver (abstract and lines 31-40 of column 9).

f. As per claims 8 and 17, Mahany teaches: the second transceiver is associated with a different particular transaction than the particular transaction associated with the first transceiver (abstract and lines 5-27 of column 16).

g. As per claims 9 and 18, Mahany teaches: the second transceiver is associated with a plurality of transactions, one of the plurality of transactions being selected when interacting with the computing device over the medium through that second transceiver (lines 30-47 of column 2).

h. As per claims 19-21, Mahany teaches: the second computing device is a personal digital assistant, calculator, or laptop computer (lines 35-40 of column 17).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2 and 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany as applied to claims 1 and 10 respectively above, in view of Official Notice.

As per claims 2 and 11, Mahany fails to teach: a label affixed near the first transceiver identifying the particular transaction associated with communicating through the first transceiver.

Official Notice is taken of affixing a label near the first transceiver identifying the particular transaction associated with communicating through the first transceiver. Identification means for the transceiver unit is very well known in the art at the time of the applicant's invention and can be exemplified by textual labels distinguishing communications ports (phone, T1, coaxial, etc) in a home or office environment. The labels are affixed so as to remind a person which type of connection is needed for each service. It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have a label affixed near the first transceiver identifying the particular transaction associated with communicating through the first transceiver in the system as taught by Mahany.

9. Claims 3 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Mahany as applied to claims 1 and 10 respectively above, in view of Vossler (U.S. 5,978,214).

As per claims 3 and 12, Mahany fails to teach: each transceiver communicates using infrared. However, Vossler discloses: "An infrared transceiver of a computer, for example, may require that it be lined up within about fifteen degrees of an infrared receiver of a peripheral to permit infrared wireless communication between the two," (lines 60-63 of column 1).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have each transceiver communicate using infrared [signals]. "Rather than having to plug a cable into both the computer and the peripheral, a user instead only has to line up an infrared transceiver of the computer with the infrared transceiver of the peripheral," (lines 52-55 of column 1 in Vossler). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have each transceiver communicate using infrared [signals] in the system as taught by Mahany.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hall et al. (U.S. 5,046,130) discloses multiple communication path compatible automatic vehicle location unit.

Gildea et al. (U.S. 5,345,244) discloses cordless SPS smart antenna device.

Vannucci (U.S. 5,513,184) discloses wireless communication system.

Jusa et al. (U.S. 5,655,219) discloses wireless LAN system capable of retransmission under management of a base station device to a destination mobile terminal device.

Raith et al. (U.S. 5,734,645) discloses layer 2 protocol in a cellular communication system.

Evanyk (U.S. 5,930,728) discloses up converted home base station.

Jovanovich et al. (U.S. 6,005,530) discloses switched gain antenna for enhanced system performance.

Plocher (U.S. 6,011,487) discloses system and method for locating wireless devices.

Nevo et al. (U.S. 6,600,726 B1) discloses multiple wireless communication protocol methods.

Mahany (U.S. 6,665,536 B1) discloses local area network having multiple channel wireless access.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (571) 272-3892. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey, can be reached at (571) 272-3896. The fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jack Hays